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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Juan Carlos LOPEZ-Zaragoza** Defendant	Magistrate Case No. '08 MJ 1106 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Aliens Without Presentation

The undersigned complainant being duly sworn states:

On or about **April 9, 2008**, within the Southern District of California, defendant **Juan Carlos LOPEZ-Zaragoza (Defendant)**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Procelo MONTES-Rosales, Miguel Angel VEGA-Gasca,** and **Natividad PEREZ-Maqueda**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 11th DAY OF **APRIL, 2008.**

UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

The complaint states that **Procelo MONTES-Rosales, Miguel Angel VEGA-Gasca,** and **Natividad PEREZ-Maqueda** are citizens of a country other than the United States; that said aliens admitted they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial thereof by subpoena and they are material witnesses in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

On April 9, 2008 at approximately 2210 hours, **Juan Carlos LOPEZ-Zaragoza (Defendant)** made application for admission into the United States from Mexico through the San Ysidro Port of Entry as the driver of a 1993 GMC Van. Defendant presented a DSP-150 bearing the name of Luis Octavio BARRAGAN-Fierro to a Customs and Border Protection (CBP) Officer. The CBP Officer suspected Defendant was an impostor to the document presented. The CBP Officer received a negative Customs declaration, conducted an inspection of the vehicle and discovered several people concealed under a blanket in the rear cargo area of the van. The vehicle and its occupants were escorted to secondary for further inspection.

In secondary, it was confirmed that Defendant was an imposter to the document presented. Thirteen concealed aliens were also removed from the rear cargo area of the vehicle. The thirteen concealed aliens were determined to being citizens of Mexico without legal documentation to enter the United States. Three of the thirteen were retained as material witnesses and are now identified as: **Procelo MONTES-Rosales, Miguel Angel VEGA-Gasca,** and **Natividad PEREZ-Maqueda (Material Witnesses)**.

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted knowledge of the concealed aliens. Defendant admitted a man provided him with the Border Crossing Card he presented and the vehicle used in the smuggling act. Defendant stated he was originally going to be charged $4,500.00 to be smuggled into the United States. Defendant stated he would not have to pay this fee if he agreed to drive the vehicle across the border. Defendant stated he was to deliver the vehicle to a drop-off location in Chula Vista, California. Defendant stated he was going to Los Angeles, California to seek employment.

During separate videotaped interviews, all three Material Witnesses admitted they are citizens of Mexico without legal documents to enter the United States. All three Material Witness stated that they were to pay between $2,500.00 and $3,600.00 to be smuggled into the United States. All three Material Witnesses admitted they were going to the United States to seek employment.